

## **.Brand TLD Designation Application**

Internet Corporation for Assigned Names and Numbers ("ICANN")  
12025 Waterfront Drive, Suite 300  
Los Angeles, California 90094  
Attention: New gTLD Program Staff

RE: Application for .Brand TLD Designation

Zadco Company ("Registry Operator"), in connection with the execution of the Registry Agreement for the .ZIPPO TLD (the "Registry Agreement"), hereby applies for the .ZIPPO TLD to be qualified by ICANN as a .Brand TLD.

Registry Operator confirms and represents to ICANN that the TLD meets each of the criteria for the TLD to be qualified as a .Brand TLD, as described in the .Brand TLD Application Process and Specification 13 attached thereto, and that all supplemental material accompanying this application is accurate and not misleading in any respect. Registry Operator also represents that the trademark registration attached hereto as Exhibit A, the registration policies attached hereto as Exhibit B, and the SMD file ID number attached hereto as Exhibit C are complete and accurate copies of the official trademark registration, Registry Operator's registration policies for the TLD, and the SMD file ID for the TLD for which the application is submitted respectively.

Registry Operator agrees that if Registry Operator makes any changes to its registration policies for the TLD (whether before or after this application has been approved) that may disqualify the TLD as a .Brand TLD, it will promptly provide ICANN with a complete and accurate copy of the revised registration policies. In addition, if Registry Operator fails to maintain the trademark registration underlying its .Brand TLD application, it shall promptly notify ICANN of such failure. Registry Operator also agrees to maintain the criteria required to qualify as a .Brand TLD and to immediately notify ICANN of any changes in circumstances that could alter the statements made, and supporting materials provide with, this application.

Registry Operator acknowledges and agrees that this letter is binding on Registry Operator and, if any of the foregoing representations and agreements becomes untrue or not complied with, it shall be deemed a breach of the Registry Agreement by Registry Operator, and ICANN may assert its rights under the Registry Agreement, including by determining that the TLD no longer qualifies as a .Brand TLD pursuant to the terms of Specification 13.

Questions about this request should be directed to [REDACTED] at [REDACTED].

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Submitted by: [REDACTED]  
Position: General Counsel & Corporate  
Secretary  
Dated: August 21, 2014  
Email: [REDACTED]

**Exhibit A**

**Trademark Registration**



Int. Cl.: 34

Prior U.S. Cl.: 8

United States Patent and Trademark Office

10 Year Renewal

Reg. No. 317,219

Registered Sep. 18, 1934

Renewal Term Begins Sep. 18, 1994

**TRADEMARK  
PRINCIPAL REGISTER**

**ZIPPO**

ZIPPO MANUFACTURING COMPANY  
(PENNSYLVANIA CORPORATION)

33 BARBOUR STREET

BRADFORD, PA 16701, ASSIGNEE OF  
ZIPPO MANUFACTURING COMPANY  
(PENNSYLVANIA ENTITY: COPART-  
NERSHIP), BRADFORD, PA AND  
ZIPPO MANUFACTURING COMPANY  
(PENNSYLVANIA COPARTNERSHIP),  
BRADFORD, PA

FOR: POCKET LIGHTER OF THE  
PYROPHORIC TYPE, IN CLASS 8 (INT.  
CL. 34).

FIRST USE 11-5-1933; IN COMMERCE  
11-5-1933.

SER. NO. 71-351,486, FILED 5-17-1934.

*In testimony whereof I have hereunto set my hand  
and caused the seal of The Patent and Trademark  
Office to be affixed on Dec. 6, 1994.*

COMMISSIONER OF PATENTS AND TRADEMARKS

Registered Sept. 18, 1934

Trade-Mark 317,219

Property of the U. S. Patent Office  
Not to be taken from the Files

# UNITED STATES PATENT OFFICE

Zippo Manufacturing Company, Bradford, Pa.

Act of February 20, 1905

Application May 17, 1934, Serial No. 351,486

# ZIPPO

## STATEMENT

### *To the Commissioner of Patents:*

Zippo Manufacturing Company, a copartnership composed of George G. Blaisdell, W. G. Blaisdell, Frank W. Calkins, George Gimera and George B. Morris, all of Bradford, Pennsylvania, and citizens of the United States of America, and located and doing business at Bradford, Pennsylvania, as a company under the above name, has adopted and used the trade-mark shown in the accompanying drawing, for POCKET LIGHTER OF THE PYROPHORIC TYPE, in Class 34, Heating, lighting, and ventilating apparatus, and presents herewith five specimens showing the trade-mark as actually used by applicant upon the goods, and requests that the same be registered in the United States Patent Office in accordance with the act of February 20, 1905 as amended. The trade-mark has been

continuously used and applied to said goods in applicant's business since November 5, 1933. The trade-mark is applied to the goods by stamping it into them, and also by affixing to packages containing the goods a sticker having the mark printed thereon.

Applicant appoints the firm of Brown, Critchlow & Flick (registered, No. 11965), a firm composed of Jo. Bally Brown (registered, No. 3,227), Paul N. Critchlow (registered, No. 3,476), and Fulton B. Flick (registered, No. 12,919), of Pittsburgh, State of Pennsylvania, its attorneys to prosecute this application and to represent it in all proceedings in the United States Patent Office in connection therewith.

ZIPPO MANUFACTURING COMPANY,  
By GEORGE B. MORRIS,  
A Copartner.

REPUBLISHED IN C. G.

AUG 1 0 1948

U. S. PATENT OFFICE

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**From:** TMOOfficialNotices@USPTO.GOV  
**Sent:** Friday, October 11, 2013 11:00 PM  
**To:** [REDACTED]  
**Subject:** Trademark RN 0317219: Official Notice of Acceptance and Renewal under Sections 8 and 9 of the Trademark Act

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**Serial Number:** 71351486  
**Registration Number:** 0317219  
**Registration Date:** Sep 18, 1934  
**Mark:** ZIPPO  
**Owner:** ZIPPMARK, INC.

Oct 11, 2013

### NOTICE OF ACCEPTANCE UNDER SECTION 8

The declaration of use or excusable nonuse filed for the above-identified registration meets the requirements of Section 8 of the Trademark Act, 15 U.S.C. §1058. **The Section 8 declaration is accepted.**

### NOTICE OF REGISTRATION RENEWAL UNDER SECTION 9

The renewal application filed for the above-identified registration meets the requirements of Section 9 of the Trademark Act, 15 U.S.C. §1059. **The registration is renewed.**

**The registration will remain in force for the class(es) listed below for the remainder of the ten-year period, calculated from the registration date, unless canceled by an order of the Commissioner for Trademarks or a Federal Court.**

**Class(es):**  
008

TRADEMARK SPECIALIST  
POST-REGISTRATION DIVISION  
571-272-9500

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### REQUIREMENTS FOR MAINTAINING REGISTRATION IN SUCCESSIVE TEN-YEAR PERIODS

**WARNING:** Your registration will be canceled if you do not file the documents below during the specified time periods.

**What and When to File:** You must file a declaration of use (or excusable nonuse) **and** an application for renewal between every 9th and 10th-year period, calculated from the registration date. See 15 U.S.C. §§1058, 1059.

#### Grace Period Filings

The above documents will be considered as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

\*\*\*The USPTO WILL NOT SEND ANY FURTHER NOTICE OR REMINDER OF THESE REQUIREMENTS. THE

**REGISTRANT SHOULD CONTACT THE USPTO ONE YEAR BEFORE THE EXPIRATION OF THE TIME PERIODS SHOWN ABOVE TO DETERMINE APPROPRIATE REQUIREMENTS AND FEES.\*\*\***

To view this notice and other documents for this application on-line, go to <http://tdr.uspto.gov/search.action?sn=71351486>.

NOTE: This notice will only be available on-line the next business day after receipt of this e-mail.



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### Typed Drawing

<b>Word Mark</b>	ZIPPO
<b>Goods and Services</b>	IC 034, US 008. G & S: POCKET LIGHTER OF THE PYROPHORIC TYPE. FIRST USE: 19331105. FIRST USE IN COMMERCE: 19331105
<b>Mark Drawing Code</b>	(1) TYPED DRAWING
<b>Serial Number</b>	71351486
<b>Filing Date</b>	May 17, 1934
<b>Current Basis</b>	1A
<b>Original Filing Basis</b>	1A
<b>Change In Registration</b>	CHANGE IN REGISTRATION HAS OCCURRED
<b>Registration Number</b>	0317219
<b>Registration Date</b>	September 18, 1934
<b>Owner</b>	(REGISTRANT) ZIPPO MANUFACTURING COMPANY COMPOSED OF GEORGE G. BLAISDELL, W. G. BLAISDELL, FRANK W. CALKINS, GEORGE GIMERA AND GEORGE B. MORRIS, ALL CITIZENS OF THE UNITES STATES ENTITY: COPARTNERSHIP PENNSYLVANIA BRADFORD PENNSYLVANIA  (REGISTRANT) ZIPPO MANUFACTURING COMPANY COMPOSED OF GEORGE G. BLAISDELL, W.G. BLAISDELL, FRANK W. CALKINS, GEORGE GIMERA AND GEORGE B. MORRIS, ALL U.S. CITIZENS COPARTNERSHIP PENNSYLVANIA BRADFORD PENNSYLVANIA  (LAST LISTED OWNER) ZIPPMARK, INC. CORPORATION DELAWARE 1105 North Market Street Suite 1300 <u>Wilmington</u> DELAWARE 19801
<b>Assignment Recorded</b>	ASSIGNMENT RECORDED
<b>Attorney of Record</b>	Philip R. Zender
<b>Type of Mark</b>	TRADEMARK

**Register** PRINCIPAL  
**Affidavit Text** SECT 12C. SECT 15. SECTION 8(10-YR) 20131011.  
**Renewal** 5TH RENEWAL 20131011  
**Live/Dead Indicator** LIVE

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**Exhibit B**

**TLD Registration Policies**

The mission and purpose of the .ZIPPO gTLD is to serve as a trusted, hierarchical, and intuitive namespace provided by Zadco Company ("Registry Operator") for use by Zippo Manufacturing Company ("Zippo"), its qualified Affiliates and Trademark Licensees. Registry Operator, a wholly owned subsidiary of Zippo, filed the application for the .ZIPPO gTLD and will be responsible for operating the .ZIPPO gTLD. Only Registry Operator and its qualified Affiliates and Trademark Licensees will be allowed to register second-level domain names in the .ZIPPO gTLD. Zippo will develop an internal process to determine which second-level domain names will be registered and which Affiliates and Trademark Licensees will be eligible to register or control the DNS associated with domain names in .ZIPPO. All registrations will be managed by the Registry Operator in accordance with the process and policies developed by Zippo.

For the purposes of this proposed Registration Policy, Registry Operator utilizes the following definitions\*:

**Affiliate** – Affiliate means a person or entity that, directly or indirectly, through one or more intermediaries, or in combination with one or more other persons or entities, controls, is controlled by, or is under common control with, the person or entity specified.

**Control** – Control (including the terms "controlled by" and "under common control with") means the possession, directly or indirectly, of the power to direct or cause the direction of the management or policies of a person or entity, whether through the ownership of securities, as trustee or executor, by serving as an employee or a member of a board of directors or equivalent governing body, by contract, by credit management or otherwise.

**Trademark Licensee** – Trademark Licensee means any corporation, partnership, limited liability company or similar legal entity (and not a person) that has a written trademark license agreement with Registry Operator or its Affiliate, for use of the registered trademark owned by Registry Operator or its Affiliate, the textual elements of which correspond exactly to the .BRAND TLD string operated by Registry Operator, where:

- (i) such license is valid under applicable law;
- (ii) such license is for the use of such trademark in the regular course of that entity's business outside of the provision of TLD Registry Services, and is not primarily for the purpose of enabling registration or use of domain names in the TLD;
- (iii) such trademark is used continuously in that entity's business throughout the Term; and
- (iv) the domain names in the TLD registered to the Trademark Licensee are required to be used for the promotion, support, distribution, sales or other services reasonably related to any of the goods and/or services identified in the trademark registration.

Registry Operator will review each second-level domain name at the time of registration to ensure that the name complies with internal policies governing the registration of .ZIPPO domain names, including this Registration Policy. Additionally, Registry Operator will conduct ongoing reviews of each second-level domain name at least once per calendar year to ensure compliance with the terms of the .ZIPPO Registry Agreement, as well as with ICANN Temporary and Consensus Policies.

Registry Operator reserves the right to amend its registration policy.

\*Definitions for "Affiliate" and "Control" are taken from Section 2.9(c) of the Registry Agreement. The definition of "Trademark Licensee" is taken from Section 6.2 of Specification 13 of the Registry Agreement.

**Exhibit C**

**Signed Mark Data File ID Number**

Smd ID:

[REDACTED]